

Serial No.: 09/871,031
Amendment dated 27 April 2004
Reply to Office Action mailed 27 January 2004

Docket No.: KCC-15,208

REMARKS

This application has been reconsidered carefully in light of the Office Action dated as mailed on 27 January 2004. A careful reconsideration of the application by the Examiner in light of the foregoing amendments and the following remarks is respectfully requested.

There is no additional claim fee due for this Amendment because the total number of claims does not exceed the number of independent and dependent claims for which fees have previously been paid.

The present invention is directed to a liquid permeable composite material suitable for use as a liner system in personal care absorbent products for accommodating passage of fluids through the composite material. In one embodiment of this invention, the composite material is particularly suitable for accommodating passage of high viscosity fluids containing particles, wherein a first layer of the composite material includes a plurality of slits or apertures that extend through the first layer to permit the passage of the high viscosity fluids including the particles which may be contained therein through the first layer.

A substructure is bonded to the first layer to form or define a plurality of voids that entrap particles contained within the high viscosity fluid after passing through the apertures in the first layer. The liquid permeable composite material can

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be bonded or laminated to an outer cover and an absorbent core can be positioned between the composite material and the outer cover. The high viscosity fluid moves through the first layer into the substructure, wherein particles contained in the fluid are separated from the fluid and are entrapped within the voids formed in the composite material. The fluid is absorbed through the substructure and into the absorbent core to reduce leakage and rewet.

Amendments to the Claims

By the above Amendment, Applicants have amended independent Claims 1 and 20 to require a plurality of *parallel* voids defined by the substructure and the first layer, *each of the plurality of voids extending in a cross machine direction of the composite material*.

Applicants have also amended independent Claim 16 to overcome the rejection of Claims 16-19 under 35 U.S.C. § 112, second paragraph.

Claims 1-29 remain in the application.

Claims Rejection - 35 U.S.C. § 112

Claims 16-19 were rejected under 35 U.S.C. § 112, second paragraph, as set forth at paragraph 12 of the Office Action.

Applicants have amended independent Claim 16 to clarify Applicants' claimed invention. Applicants respectfully request withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1, 2, 5, 9-11, 13-15, 20, 21 and 23-29 were rejected under 35 U.S.C. § 102(b) as being anticipated by GB 2,284,786 ("Zelazoski et al.").

The present invention as claimed in amended independent Claim 1 requires a liquid permeable two layer composite material comprising a first layer forming a plurality of apertures and a substructure bonded to the first layer, wherein the substructure and the first layer define a plurality of *parallel* voids, *each of the plurality of voids extending in a cross machine direction of the composite material*.

As set forth in Applicants' specification and as shown in Figs. 1 and 2, the plurality of parallel voids that extend in the cross machine direction of the composite material can be formed or created by several different methods. For example, referring to Fig. 3, a nonwoven web can be creped as described in Applicants' specification at page 16, line 3 through page 19, line 18. Alternatively, referring to Fig. 4, the substructure 30 can be transported or conveyed through a nip to produce ridges and peaks in the substructure 30, as described in Applicants's specification at page 19, line 19 through page 21, line 6.

Zelazoski et al. discloses a quilted film laminate. The film contains a plurality of small, generally parallel slits. Once the two layers are bonded together, the composite is caused to retract thereby creating a plurality of gathers or puckers in

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the film layer. The slits defined in the film layer open thereby creating a plurality of openings or apertures which extend vertically rather than horizontally with respect to the plane of the film, and which reside in, above and below the general plane of the film layer.

Zelazoski et al. does not disclose a liquid permeable two layer composite material comprising a first layer and a substructure bonded to the first layer to define a plurality of parallel voids, each of the plurality of voids extending in a cross machine direction of the composite material, as required by Applicants' claimed invention. Rather, Zelazoski et al. discloses a quilted film laminate having a plurality of openings in the film layer that extend vertically rather than horizontally with respect to the plane of the film. As shown in the Zelazoski et al. figures, each film layer opening does not extend in a cross machine direction of the quilted film material.

Applicants urge that the above Amendment and remarks overcome the rejection of Claims 1, 2, 5, 9-11, 13-15, 20, 21 and 23-29 under 35 U.S.C. § 102(a) as being anticipated by Zelazoski et al. Thus, Applicants respectfully request withdrawal of this rejection.

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Claim Rejections - 35 U.S.C. §103

Claims 1, 3, 4 and 6-8 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Zelazoski et al. in view of U.S. Patent 6,420,625 ("Jones et al.").

Claims 3, 4 and 6-8 depend from amended independent Claim 1, which Applicants believe is patentable for at least the reasons presented above.

As discussed above, Zelazoski et al. fails to teach important features of the present invention as claimed in amended independent Claim 1. Further, Jones et al. does not overcome the deficiencies of Zelazoski et al.

Jones et al. does not teach or suggest a liquid permeable two layer composite material comprising a first layer and a substructure bonded to the first layer to define a plurality of parallel voids, each of the plurality of voids extending in a cross machine direction of the composite material, as required by Applicants' claimed invention. Rather, Jones et al. teaches a laminate having at least three layers including an apertured film layer, which when laminated to the breathable film layer and/or the nonwoven layer, provides a liquid impermeable laminate suitable as a backsheet.

Applicants urge that the above Amendment and remarks overcome the rejection of Claims 1, 3, 4 and 6-8 under 35 U.S.C. § 103(a) as being unpatentable over Zelazoski et al. in view of Jones et al. Thus, Applicants respectfully request withdrawal of this rejection.

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Claims 1, 12 and 22 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Zelazoski et al. in view of U.S. Patent 5,853,403 ("Tanzer et al.").

Claim 12 depends from amended independent Claim 1 and Claim 22 depends from amended independent Claim 20. Applicants believe that amended independent Claims 1 and 20 are patentable for at least the reasons presented above.

As discussed above, Zelazoski et al. fails to teach important features of the claimed invention. Further, Tanzer et al. does not overcome the deficiencies of Zelazoski et al.

Tanzer et al. discloses a liquid control member designed to stay in contact with the urethral region of the wearer to control the input of liquid to the absorbent assembly. The liquid control member has a first stationary zone bonded to a front waist region of the garment and a second stationary zone bonded to a back waist region of the garment, with a elasticized zone positioned between the stationary zones and unadhered to the garment. Tanzer et al. does not teach or suggest a liquid permeable two layer composite material comprising a first layer and a substructure bonded to the first layer to define a plurality of parallel voids, each of the plurality of voids extending in a cross machine direction of the composite material, as required by Applicants' claimed invention.

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Applicants urge that the above Amendment and remarks overcome the rejection of Claims 1, 12 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Zelazoski et al. in view of Tanzer et al. Thus, Applicants respectfully request withdrawal of this rejection.

Conclusion

It is believed that the above Amendment places all pending claims in condition for allowance and notification to that effect is solicited. However, should the Examiner detect any remaining issue or have any question, the Examiner is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of the application.

Respectfully submitted,



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